

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHARLES GREEN,

Petitioner,

v.

MAGGIE BEIGHTLER, WARDEN,

Respondent.

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Case No. 1:06cv1238

JUDGE KATHLEEN O'MALLEY

JUDGMENT

For the reasons set forth in the Court's Order of this date, the magistrate judge's R&R is hereby **ADOPTED**. Green's petition is **DENIED**, and his case is **DISMISSED**. Further, the Court finds that Green's assertions fall well short of making the substantial showing of the denial of a constitutional right required by 28 U.S.C. §2253(c). The Court, therefore, finds that there is no basis upon which to issue a certificate of appealability.

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: August 17, 2007